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707 Highway 66 East, Suite B
Tijeras, New Mexico 87059
Phone: 505/286-3511
Fax: 505/286-3524

**Robert W. Becker &
Associates**

Fax

To: Alexander Markhoff (1746)

From: Robert W. Becker

Fax: (703) 872-9840

Date: April 29, 2002

Phone: (703) 308-7545

Pages: 3

Re: 09/142,452

CC:

☐ **Urgent**

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Please review the attached letter.

Thank you and best regards.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Rosalie A. Centeno
Rosalie A. Centeno

In the Application of Oscar K. Wack et al.

Ser. No.: 09/142,452

Filed: January 19, 1999

First CPA

Filed: November 16, 2000

Second CPA

Filed: January 28, 2002

For: METHOD OF CLEANING OBJECTS

Art Unit: 1746

Examiner: Alexander Markoff

Assistant Commissioner for Patents

Washington, DC 20231

LETTER

Dear Sir:

The Examiner is thanked for his telephone call of earlier today.

With regard to the appropriateness of "use" claims, the Examiner's attention is respectfully directed to MPEP706.03 (d), and in particular to the reference to ¶ 7.34.06, which indicates that a use claim is acceptable as long as it recites positive steps "delimiting how this use is actually practiced". Applicant respectfully submits that this is

the case with newly submitted use claim 69, which recites at least three positive steps, namely that the cleaning composition is brought to a temperature at which cleaning is to take place, that the cleaning composition is agitated to form an emulsion, and that the cleaning composition is brought into contact with an article that is to be cleaned while the cleaning composition continues to be agitated to maintain the emulsion.

Therefore, in view of the aforementioned MPEP Section 706.03(d) as well as 2173.05(q), both of which indicate that the use claim is not indefinite as long as it recites positive steps delimiting how the use is actually practiced, applicant respectfully requests that the Examiner reconsider his position with regard to the use claims.

Respectfully submitted,



Robert W. Becker, Reg. No. 26,255
for Applicant(s)

ROBERT W. BECKER & ASSOCIATES
707 Highway 66 East, Suite B
Tijeras, NM 87059

Telephone: (505) 286-3511
Facsimile: (505) 286-3524

RWB:rac